

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.2353 OF 2014
IN
CIVIL APPLICATION ST. NO. 24142 OF 2011
IN
WRIT PETITION NO.2556 OF 1997**

Dashrath B Jadhav & Ors.

..Applicants

Vs.

Satish M Bari & Ors

..Respondents

Mr. D. S. Mhaispurkar for the Applicants

Mr. Nikhil Chavan for the Respondent Nos.1 to 3

CORAM : R. M. SAVANT, J.

DATE : 29th FEBRUARY, 2016

P.C.

1 The above Civil Application has been filed for restoration of Civil Application St No.24142 of 2011 which has stood dismissed for non prosecution on account of the conditional order dated 15-11-2011. The said Civil Application St No.24142 of 2011 has been filed for restoration of the above Writ Petition which has stood dismissed for non prosecution on account of the non appearance of the Advocate on 5-1-2011. The order passed on 5-1-2011 records the fact that on the earlier date also no appearance was put up on behalf of the Petitioners. Since the Civil Application St No.24142 of 2011 was filed for restoration of the above Writ Petition and has been dismissed for a technical reason of non service on the Respondents, the above Civil Application

would have to be allowed and accordingly allowed, resultantly the Civil Application St No.24142 of 2011 is restored to file. The Civil Application is accordingly disposed of.

[R.M.SAVANT, J]